

HOUSE BILL No. 1096

DIGEST OF INTRODUCED BILL

Citations Affected: IC 8-23-2-17.

Synopsis: Public testimony at INDOT hearings. Amends the definition of "public hearing" for purposes of meetings by the Indiana department of transportation to mean providing or receiving information concerning proposed construction or improvement projects. (The current definition includes only providing information early in the decision making process.)

Effective: Upon passage.

Frye R

January 6, 2015, read first time and referred to Committee on Roads and Transportation.



First Regular Session of the 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE BILL No. 1096

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 8-23-2-17 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 17. (a) As used in
3 this section, "public hearing" means an assembly or a meeting ~~by the~~
4 ~~department held~~ for the purpose of:
5 (1) providing **or receiving** information ~~early in the process of~~
6 ~~making decisions affecting~~ **concerning** proposed highway or
7 bridge construction or improvement projects on a county arterial
8 highway system or the state highway system so that the public can
9 have an impact on the decision outcome, including a meeting in
10 which the public is provided information, opportunity for review
11 and comment, and an accounting for the rationale for a proposed
12 project; or
13 (2) complying with 23 U.S.C. 128 and 49 U.S.C. 1602(d)
14 requirements in considering economic, social, environmental, and
15 other effects of highway projects and proposals.



1 (b) Whenever ~~the department holds~~ a public hearing ~~the department~~
2 ~~shall allow any~~ **is held, every** person **shall be allowed** an opportunity
3 to be heard in the presence of others who are present to testify and in
4 accordance with subsection (c).

5 (c) The department, through the commissioner or the
6 commissioner's designee, may limit testimony at a public hearing to a
7 reasonable time stated at the opening of the public hearing.

8 **SECTION 2. An emergency is declared for this act.**

